The Manufacture and Sale of Munitions of War

BY

CHARLES NOBLE GREGORY, A.M., LL.D.

Chairman Standing Committee International Law, American Bar
Member Board Editors American Journal International Law
Fellow of the Royal Society of Arts, London

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THE MANUFACTURE AND SALE OF MUNITIONS OF WAR

CHARLES NOBLE GREGORY

In the Encyclopedia Britannica under the title "Gun powder" I find that fatal material described as "An explosive composed of saltpeter, charcoal and sulphur," and the statement added *"Very few substances have had a greater effect on civilization than gun-powder."*

That the higher developmnt of life (which is civilization) should be fostered by a new and terrible means of inflicting death, seems a paradox. Yet we must reflect that the first necessity for any developing civilization, with the wealth and prosperity which it creates, is defense against the barbarism which it offends by its advance and tempts by its prompt accumulations. Greek and Roman discipline furnished a considerable element of this kind and protected Greek and Roman arts, law, and letters remarkably; but the one great invention which at once gave civilized man dominion over savage man, even when a hundred-fold out-numbered, was gunpowder. That made the renaissance possible. That made the conquest of the American Continents by our European ancestors assured and furnished the basis of all that has followed. We are here, our blood, law, language, and church spires are here, as a result.

Brawn had to give way to brains. The Chemist was more than the Smith. The Armoured Knight upon his Armoured Charger went down before the Musketeer, before the *man on foot,* the noble before the peasant, and democracy became possible.

In the struggle for existence weaker forms of life survive by fecundity, by powers of flight or of climbing a tree or digging a hole, but the finest and freest by power of attack and defense.

We, I submit, wish to develop and maintain a race of this finest and freest type, not guinea-pigs or white rabbits, not antelopes, squirrels or rats, but men inferior to no creatures in power of attack and defense. I say attack, because that is often the best form of defense.

I speak of Gun-powder, but I figure by that all those war-like supplies on which defense must rest.

Beasts still fight with talons and hoofs, claws, horns and fangs and nothing else. So did man once, but when the first anthropoid Ape or primitive man broke a branch from the oak and with it struck down his foe — when in the Garden Cain slew his brother with a club, preparation began. The dominion of the prepared over the un-prepared began and has never ended. To which class shall we belong?

If Abel had been vigilant and had had the bigger club what a benefit to the world his club would have been! As it is, I suppose, we are all sons of Cain.

I am here to advocate one source of safety, and that mechanical, and not picturesque or heroic. Namely that the business and laboring men of this country be allowed to freely manufacture munitions of war and freely vend and export them to all, except the enemies of the United States.

I claim these rights for them because they are lawful, because all nations have agreed to them and far more, because they conduce to the welfare not only of our own country but of mankind and are therefore politic and right.

First: *They are lawful.* Neither International nor Municipal Law forbids them. By custom and prescription the workers of the principal nations, including our own, have for generations exercised them.

Our first Secretary of State, appointed by Washington, asserted them in a communication to the British Minister, May 15, 1793. Mr. Jefferson says:

> "Our citizens have been always free to make, vend and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means perhaps of their subsistence, because a war exists in foreign and distant countries, in which we have no concern, would scarcely be ex-

pected. It would be hard in principle and impossible in practice. The law of nations, therefore, respecting the rights of those at peace, does not require from them such an internal disarrangement in their occupations. It is satisfied with the external penalty pronounced in the president's proclamation, that of confiscation of such portion of those arms as shall fall into the hands of any of the belligerent powers on their way to the port of their enemies."

Alexander Hamilton, our first Secretary of the Treasury, is equally positive to the same effect. In a Treasury circular of August 4, 1793, he declares:

> "The purchasing within, and exporting from the United States, by way of merchandise, articles commonly called contraband, being generally war-like instruments, and military stores, is free to all the parties at war, and is not to be interfered with."

If the democrats question our views, I cite Jefferson their founder; and if the republicans, I cite Hamilton, their founder.

Mr. Seward, the great Secretary of State under Abraham Lincoln, when Mexico objected to the sale of military supplies to the French under Maximillian, answered with equal decision, asserting our right and saying that otherwise, "Commerce,....instead of being free and independent, *would exist only at the caprice of war.*" (December 15, 1862). Mr. Seward and our whole people were most hostile to the French occupations and ultimately compelled its abandonment, but the rule was too clear to dispute and too important to in any way abate.

Hon. John Bassett Moore, our greatest and ripest international publicist, to whom I owe my other references, in his digest prints eighteen pages of extracts to like effect from Secretaries of State, Attorneys-General, and Presidents, from Henry Clay, General Grant, Marcey, Fish, Evarts, Bayard, Frelinghuysen, Blaine, Foster, Olney, and John Hay, and also a clear and strong opinion by Mr. Elihu Root.

The famous Lord Chancellor Westbury was called the boldest Judge that ever lived and was said, in a celebrated

decision, to have "abolished Hell, with costs." He quoted from the opinion of our own Supreme Court, written by its greatest scholar in International law, Justice Story, and approved the following passage:

> "There is nothing in our laws or in the law of nations that forbids our citizens from sending munitions of war to foreign ports for sale. It is a commercial adventure which no nation is bound to prohibit, and which only exposes the persons engaged in it to the penalty of confiscation."

In 1901, our United States Court for the Eastern District of Louisiana held the same as to exports of war supplies to Great Britain during the Boer War; and, in 1905, the English Courts held like Doctrine as to the shipment of contraband during the Russo-Japanese War.

Two years later, in 1907, the second Hague Conference, representing substantially all the nations of the world, adopted the following convention:

> "A neutral power is not bound to prevent the export or transit on behalf of one or the other of the belligerents of arms, munitions of war, or, generally, of anything which can be of use to an army or fleet."

This declaration was especially desired by Germany. One of our delegates at the conference said to this writer that apparently the main purpose of the Conference was to prevent any interference with the export of arms by the Krupps at Essen.

Austria Hungary and Germany promptly ratified this convention, November 27, 1909, which merely re-affirmed the established rule.

Mr. Bryan, then Secretary of State, who is believed to have communed more often with the Dove than with the Eagle, in January 1915, in a communication to Senator Stone, fully confirmed this doctrine.

This right so deeply grounded in practice, precedent and agreement, in the opinion of statesmen and of Judges, is constantly attacked and criticised, and sought to be revoked by

direct statute: it is constantly condemned as immoral and impolitic by the thoughtless and uninstructed, though well intentioned, advocates of peace. I submit that these critics misapprehend the effect of the rule and the results which would flow from its repeal.

The ability of a peaceful commercial state to freely exchange her wealth for war supplies in the worlds markets is her one great defense and her one chief bulwark.

If she could not use her cash and her credit in the worlds marts to equip herself for defense when attacked, her wealth would be merely a lure to the robber states, a source of weakness and not of strength.

If a nation, the moment she is assailed, finds all outside ports closed to her, all markets shut, if she must resist the premeditated and prepared attack with such munitions as she has on hand then either the peaceful commercial nations must be rapidly and hopelessly conquered and enslaved, or they must change their whole type and adopt the military policy in its entirety and, to be safe, keep always at the top notch of preparedness, with nothing lacking to defeat any foe. Certainly the cause of peace can not be served by offering to peaceful and prosperous nations like our own the dilemma of destruction or the adoption of the extremes of militarism.

Yet, if by this change of rule you sterilize the wealth of these countries, so that in time of war it can draw to them no equipment, that would be the result.

Any nation caught unprepared must miserably perish or miserably submit. She could not get from outside, as this writer lately pointed out in The Outlook, "A pound of powder, a gallon of petrol, an ounce of copper, a gun, a sabre, a harness, or a horse."

As General Wood said recently to a Committee of Congress: "We are gradually accumulating most of the gold of the world. We had better stiffen that supply of gold with a little iron."

If the rule allowing a belligerent to buy and neutrals to sell war supplies were abolished, all this wealth would be, in

case of attack, as useless to us as a ton of gold to a shipwrecked sailor dying of thirst on a barren reef.

This writer lately said, and he would re-affirm:

> "Wars now are sudden as conflagrations in their origin and the advantages of preparation and initiative are immense. Why make them vastly greater? Why tempt to secret preparation and sudden aggression by greatly reducing the resources and avails of the defending power? *Why aid the wolf and hamstring the lamb?* Why by a change of law and policy aid and encourage the predatory policy, and debilitate defense? Such change must stimulate war and discourage peace."

Such a change of law and practice, it is submitted, is highly opposed to the general interests of mankind. It magnifies the power of the prepared and predatory states and it hinders and prevents the defense of the pacific states. It helps the carnivorous states, and it hurts the herbivorous states, as it were. It sharpens the fangs of the wolf, constantly used in attack, and it takes away the antlers of the stag, as constantly used for defense alone. It tends to embroil the nations and to destroy their balance and repose. It is a pernicious, unwise, and immoral restraint, an injurious change in a just rule.

But it has been urged that in the present war one side commands the sea, and therefore the other is excluded from our markets, which are in fact open to only one, and that this is not "true neutrality."

I submit that because one of the belligerents has an advantage over the other, got by the exercises of war, is no ground for changing the rule to his detriment. The neutral does his full duty if he leaves his market door open freely to both, letting either hinder the other in his access as much as he can. The neutral vendor has nothing to do with access. That is the business of the belligerents, each to get it for himself and to defeat the getting it by the other.

At present the Central powers are denied access to our markets by the British naval supremacy. During the South

African War, when the Boers, for like reason, had no access to German markets, the German dealers still thought it right to sell to Great Britain large quantities of munitions, although Germany was friendly to the Boers and profoundly hostile to England.

This writer tabulated from the British Custom House reports large numbers of such sales, and submitted the same to the American Academy of Political and Social Science at Philadelphia, in 1915. The neutrality board of our government verified the figures, except for some minor and insignificant errors, and filed them with the Department of State, and Senator Cabot Lodge kindly wrote this writer that they were used in the reply of the United States to Austria. The practice of Germany was entirely correct, and so is the exactly similar practice of the United States at the present time.

The practice of Germany, moreover, in fostering her enormous establishments privately owned for the production of arms and munitions is wise and politic and affords us a most useful example.

The Paris correspondent of the Army and Navy Journal recently mentioned that the works at Essen employed a hundred and thirty thousand hands. The Ambassador of one of the great powers, long in the diplomatic service, recently told this writer that no one in the service could fail to see that the principal business of the Army and Navy Attachés of Germany was to place foreign orders for arms and munitions with their great factories. Thus, with profit to Germany their colossal works in times of peace were established, sustained, and extended. Thus, like manufacturers in other countries were undermined, discouraged, and broken down. When war came, Germany was prepared and ready to increase her supplies from within, and the other countries which had too much depended upon her were in quite the opposite situation. Cannon for the defense of Antwerp had been contracted for in time of peace by a Great German maker, but the great part, though a year over due, were not delivered. Many of the bombs furnished by the German

makers would not explode, and Antwerp fell a rich and easy prey to the invaders.

This incident illustrates the danger and inconvenience of depending upon a neighboring state for munitions of war. That state may be at any time your enemy in war and may contemplate that situation long before you awake to its menace. Even if not your enemy in war, it may, as an incident of war, become wholly inaccessible to you, however friendly, as Germany to the South African republics during the late Boer war, and as all the American Republics to Germany at the present time. Moreover, private factories are apt to be numerous and widespread; therefore, in case of invasion, they afford greater prospect of safety. No part of the country which continues to resist is apt to be wholly without such resources.

Our army arsenals, which largely manufacture our arms and munitions are, with one exception, near Atlantic tide water and between Boston and Philadelphia,—a very important, but, after all, limited and exposed part of the United States. The one exception is the Rock Island Arsenal, which occupies an ideal position in the heart of the Mississippi Valley.

In the present war, the great factories at Liege,—for many forms of arms, especially small arms, perhaps the greatest in the world,—were early captured by the central powers and became a part of their warlike assets. Lodz, in Russian Poland, had a like fate. Over one-half of the industrial plants of France were, in like manner, seized, and held by the enemy.

Our Middle West and Southwest, with their abundance of coal and iron, their oil and copper, their vast systems of transportation and their thronging labor markets, ought not to be forbidden or discouraged from the manufacture and sale of munitions of war. Let their unsurpassed resources and energies be mobilized in these lines purely for the gains of commerce; yet they remain a great safety and resource to this republic in case of attack, or emergency.

There is no wiser proverb than that which advises against

putting all your eggs in one basket. Let our arsenals be maintained, but by no means refuse to utilize and recognize the energy, capital, and labor embarked by private enterprise in like productions whose enormous contributions can be switched in a moment from foreign commerce to the aid of our flag and our country.

Far be it from me, even to think of our seacoast as defenseless or abandoned; but our flag and our republic deserve something more than a first line of defense, and that first line deserves a loyal unshrinking support from behind, not merely in men but munitions.

Our whole supply of sodium nitrate, on which the manufacture of explosives depends, comes by sea from Chile. In case of war with a naval power, or with two naval powers, stronger than we are upon the sea, it would be instantly cut off.

Modern science has taught us to derive nitrates from the air by the use of electricity. The process requires elaborate machinery and preparation. Its installation requires a length of time. Its product is as valuable as a fertilizer of our fields in peace as for the manufacture of explosives in war. It is produced most economically by water power. Our country abounds in water power, much of it belonging to the government. 10,000 horse-power goes to waste at the Rock Island Arsenal on the Mississippi and at innumerable other points the waste of this vast source of energy is far greater. Government should encourage in every way such factories to utilize this waste power. They are as wholesome in peace as they are needed in war. They enrich us in the one and they defend us in the other and add vastly to our independence and security. The needed capital is understood to wait only permission to harness the water now running to waste, and to make it work for the profit of capital, for the employment of labor, and the safety of us all.

Senator Underwood, than whom no man in public life is more entitled to our gratitude and our confidence, is urging the establishment of a government plant for this purpose and I am not suggesting anything in opposition to that plan.

March 30 last he said: "Germany at the beginning of the war had two hundred and seventy thousand tons of nitrogen. The supply was exhausted in two months." That Germany, lacking water power, has had to create great steam power plants for this purpose, which are much less economical; that to get two-thirds the power Germany is using, we would need one hundred and twenty thousand horsepower, and that for economy this should be developed in one place; that there are few places capable of developing such power, and if the government delays, private capital will preempt them.

General Crozier testified: "These processes are now controlled by private individuals in this country. We do not know how to use them," but he thinks we would not apply in vain to "the patriotism or other good will" of the owners of these processes.

The chief objection to undertaking to manufacture our whole supply at one government plant is that it leaves us dependent upon the safety of those works. *The protected activities of a single popular member of the diplomatic corps might destroy them over night.* The wider plan by which the government and private enterprise at various points both produce this essential supply will most conduce to safety, and some sacrifice of economy is warranted.

As to the advantage of these developments, I do not speak alone. As to the danger and disadvantage of depending upon narrow and inadequate war supplies, derived from a limited and exposed territory, I do not speak alone.

I trust it is not invidious to refer, among many, to two men, as thoughtful and far-sighted as any in our service, who within the past three months have fully and in greater detail testified in support of these views before the Committee on Military Affairs of our House of Representatives, — namely, Major General Leonard Wood, late Chief of Staff, and Brigadier General William Crozier, for fourteen years Chief of Ordnance.

The Department of Ordnance recognizes that such private factories are an aid to and not a hinderance to the work of our arsenals, and that they promote in every way the effici-

ency, the advance in inventions, and the supply of ordnance and munitions.

England had depended too much on inadequate government arsenals, but all that has been changed. The man of the greatest energy and resources in the Kingdom was made Minister of Munitions of War and given a free hand. A pamphlet just received from Sir Gilbert Parker says, "We have multiplied our production of munitions nearly three hundred fold and we are taking steps to multiply it many times more." Workers have been registered, private factories by the hundred taken over.

General Crozier testified in January that both sides ran short of ammunition in the first six months of the present war. That Germany was the first to recover, because she had her factories mobilized and was ready to use their installations. That France, too, recovered quickly, but England more slowly because short of Government factories and unable to mobilize private works, and that neither of these has yet caught up.

Lloyd George said, in the House of Commons, on December 20, last: "The place acquired by machinery in the arts of peace in the nineteenth century has been won by machinery in the grim art of war in the twentieth century. In no war ever fought in the world has the preponderance of machinery been so completely established."

He showed that all the successes and failures of the war had been due to *"mechanical preponderance."* He said that the allies had the mechanical superiority in the navies, and were accordingly supreme on the sea. "What we stint in munitions we squander in life, that is the one great lesson of munitions," he said.

Our lesson of the present war is that the consumption of powder and munitions is both vastly beyond all experience, and beyond the most modern and liberal estimates, as our Chief of Ordnance has testified. In one great battle, as much was used as in the entire Boer war.

Rapid fire guns are of infinite importance for attack and greatly more for defense, but they are prodigal of powder

and ball. Guns of much increased calibre are used even as field artillery, because modern machinery can move them as horses could not, and they, too, are prodigal of powder and ball.

When for a time supplies of munitions failed the Russian army, those brave men fought desperately with clubs and sticks. Machine guns and artillery won. The unprepared failed and died, and the prepared swept over Poland.

The lessons I would urge upon our nation are:

That we have a right by all laws, international and municipal, to manufacture and freely sell to all comers munitions of war (except when restrained by special laws, as along our Southern border).

That such right ought to be fully preserved and freely exercised, because it vastly strengthens our country for defense in this time of unprecedented menace and of unfathomed danger.

That such rights should not only remain unabridged, free from hinderance or discouragement, but should be fostered, protected and encouraged.

That in so doing we adopt a policy hostile to no nation and salutary to our own.

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Of the $2.00 received from annual members, $1.20 goes to pay the expense of publishing the magazine and furnishing each member with a button. The balance is spent in several ways.

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We spent $1,655 on organizing instructive cruises by civilians on battleships; $7,031 was spent distributing 590,100 pamphlets and addressing 349 meetings, the total attendance being 120,000 people; $4,768 was spent in increasing the membership of the League.

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The purpose of the Navy League is to form an increasing membership in a non-partisan, non-political, patriotic society, for the purpose of obtaining and spreading before the citizens of the United States authoritative information as to the condition of the naval forces, ships and equipment of the United States, and to awaken public interest and activity tending to improve and develop the efficiency of the navy.

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